

APR 18 2008

PTO/SB/84 (01-08)

Approved for use through 04/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
SYN 1756

First named inventor: OFEK, Yoram

Application No.: 09/535,831

Art Unit: 2616

Filed: March 28, 2000

Examiner: LEVITAN, Dmitry

Title: A SWITCHING SYSTEM AND METHODOLOGY HAVING SCHEDULED CONNECTION
ON INPUT AND OUTPUT PORTS RESPONSIVE TO COMMON TIME REFERENCE

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

04/21/2008 PCHOMP 00000013 501166 09535831

01 FC:2453 770.00 DA

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 770.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of Petition Revive Unintentionally Abandoned Application (identify type of reply):
☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

APR 18 2008

PTO/SB/84 (01-08)

Approved for use through 01/31/2009. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

David H. Sitrick
Signature

April 18, 2008

Date

David H. Sitrick

Typed or printed name

29,349

Registration Number, if applicable

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Address

847-677-4411

Telephone Number

Skokie, IL 60077

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

April 18, 2008

Date

Elise L. Corrado
Signature

Elise L. Corrado

Typed or printed name of person signing certificate

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APR 18 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: OFEK et al.)
)
For: A SWITCHING SYSTEM AND)
METHODOLOGY HAVING)
SCHEDULED CONNECTION ON)
INPUT AND OUTPUT PORTS)
RESPONSIVE TO COMMON)
TIME REFERENCE)
)
Serial Number: 09/535,831)
)
Filed: March 28, 2000)
)
Examiner: LEVITAN, Dmitry)
)
Art Unit: 2662)
)
Attorney Docket: SYN 1756)

Petition to Revive Unintentionally Abandoned Application
under 37 C.F.R. §1.137(b)

Attention: Office of Petitions
Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby submit this Petition to Revive Unintentionally Abandoned Application under 37 C.F.R. §1.137(b) responsive to the Decision on Petition Under 37 C.F.R.

§1.137(a)—Copy Date Mailed: February 13, 2008.

U.S.P.T.O. form PTO/SB/64 Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), the appropriate fee via Fee Transmittal and Amendment B are herewith filed. Reconsideration is respectfully requested.

Applicants' Attorney, David H. Sitrick, wishes to thank Senior Petitions Attorney Christina Tatera Donnell for the teleconference regarding the above-referenced application on April 3, 2008. Attorney Donnell explained that a Petition to Revive Unintentionally Abandoned

Application under 37 C.F.R. §1.137(b) for the above-referenced application will provide Applicants with the most expeditious desired result.

Applicants had previously submitted a Petition to Revive Unavoidably Abandoned Application on under 37 C.F.R. §1.137(a) on January 17, 2006 and a Renewed Petition to Revive Unavoidably Abandoned Application on under 37 C.F.R. §1.137(a) on March 26, 2007; both of which were dismissed. Applicants respectfully submit that the two previous dismissals were improper. The previously submitted petitions should have resulted in revival of the above-referenced patent application. However, pursuant to the Senior Petitions Attorney's recommendation, Applicants are filing this Petition to Revive Unintentionally Abandoned Application under 37 C.F.R. §1.137(b).

The Final Office Action—Date Mailed: December 03, 2003, Paper No. 6, for which a response was due March 03, 2004 by a shortened statutory period for reply set to expire three months from the mailing date of the Office Action, required correction of inventorship for the present application's parent application: 09/120,636, filed July 22, 1998—now issued patent number: 6,272,131, issued August 7, 2001. Petitions for Correction of Inventorship in Patent 6,272,131 on were filed June 3, 2004. The U.S.P.T.O. did not grant said Petitions for Correction of Inventorship until December 30, 2005. Over eighteen months elapsed from the date that said Petitions were filed until the Office issued the decision granting correction of inventorship. A copy of the Decision Granting Petition is herewith attached as exhibit A.

It took over eighteen months for the Office to grant said Petitions of Inventorship. The Decision Granting Petition was required in order to be responsive to the then outstanding Final Office Action. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional.


It is thus respectfully submitted by this Petition to Revive Unintentionally Abandoned Application under 37 C.F.R. §1.137(b) and by Amendment B herewith concurrently filed and fully providing the reply required for the outstanding Final Office Action, all bases of objection and rejection have been traversed and overcome; the Application should be revived; and the Final Rejection is improper, traversed, overcome and should be withdrawn. Applicants respectfully submit that the application, including the specification description, claims and drawings are in proper form for allowance. Applicants respectfully request reconsideration and a Notice of Allowance or Notice of Allowability.

PATENT APPLICATION
Serial Number: 09/535,831
Attorney Docket Number: SYN 1756

The Director has already been authorized to charge any additional fees and credit any overpayments during the pendency of this application to Sitrick & Sitrick's Deposit Account Number: 501166. A fee for the Petition to Revive Unintentionally Abandoned Application under 37 C.F.R. §1.137(b) in the amount of \$770.00 is hereby due and paid via the accompanying fee transmittal.

The Examiner is invited to communicate directly with the undersigned via phone as would be of assistance to expediting prosecution of this matter.

Respectfully submitted,



David H. Sitrick
Attorney for Applicants
Registration No. 29,349

April 18, 2008

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